



City of Tacoma
Public Works Department

23.8.13.11
10-26-06

October 26, 2006

Piper Peterson Lee
US EPA, Region 10
1200 Sixth Avenue
Seattle, WA 98101

Subject: Thea Foss and Wheeler-Osgood Waterways Remediation Project
Institutional Controls Plan

Dear Ms. Peterson Lee:

Enclosed for your review please find a copy of the draft information that will, upon approval, be included in an informational handout. This brochure will be provided to persons seeking a building, shoreline, and or wetlands permit for development adjacent to the Thea Foss and Wheeler-Osgood Waterways. This information has been prepared in accordance with Section D.1.1 of the City's Institutional Controls Plan for the site.

The handout is intended to provide general information about remedial actions and habitat improvements constructed within the Waterways. In addition, it provides the limitations, considerations, and restrictions that will apply during their development project.

If you have any questions or comments during your review of the enclosed information, please don't hesitate to call me at 253-502-2113 or Doug Mosich at 253-591-5626.

Sincerely,

Mary Henley, P.E.
Project Manager

MLH:sh (ICP Info Handout Transmittal 102606)

Enclosure

cc: Kelly Cole, EPA
Janis Snoey, Office of the Attorney General
Loren Dunn, Graham & James LLP/Riddell Williams
Jackie Wetzsteon, PacifiCorp
Leslie Ann Rose, CHB
Doug Mosich, Legal

File: Institutional Controls – Informational Handout

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Protecting our investment in the Foss Waterway cleanup

Now that the Foss Waterway has been cleaned up, it is the responsibility of all of us to work to ensure that the waterway stays clean.

Background

In 1981, Commencement Bay was placed on the National Priorities List for cleanup under the Environmental Protection Agency's Superfund regulations. After years of study, design, control of contamination sources, and discussions regarding cost sharing, cleanup of the sediments in the Thea Foss and Wheeler-Osgood Waterways was completed by the City and its partners in 2006.

The cleanup plan implemented includes a combination of dredging, with materials taken to a nearby confined disposal facility for containment, and in-place capping of some remaining contamination within the waterway. Other areas with low levels of contamination will be monitored to make sure that they meet the standards within 10 years. In order to mitigate for the impacts of the construction project, the City also constructed several habitat areas in the Commencement Bay area.

Institutional controls plan

To ensure that remedial actions within the waterway are not disturbed, the City of Tacoma has agreed to impose a series of Institutional Controls. These controls are imposed to ensure that humans and aquatic life are not exposed to hazardous substances left in place under the cleanup plan.

The controls

Anchorage restrictions: Restrictions apply for any areas where a cap is in place over substances that were left in place under the cleanup plan.

Vessel speed restrictions: Informational signage along the waterway identifies boat speed restrictions, which are in place to prevent erosion of the cap over any cleanup areas.

Shoreline work restrictions: Anyone considering developing along the shorelines of the Thea Foss Waterway needs to contact the City of Tacoma Building and Land Use Division to find out what special precautions are in place for developments along the waterway. Approval from the Environmental Protection Agency is required for any dredging or excavating, or any pile driving or removal.

Restrictive covenants: Covenants are filed on the property title for any site that has use restrictions under the Institutional Controls plan.

Important contacts

City of Tacoma Building and Land Use Division – (253) 591-5030
www.cityoftacoma.org/fosscleanup